

Exhibit B

Excerpted

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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REUVEN GILMORE, et al., Civ. No: 01-0853 (GK)
Plaintiffs

vs.

THE PALESTINIAN INTERIM
SELF-GOVERNMENT AUTHORITY, et al.,
Defendants

* * * * *

VIDEO-CONFERENCED AND INTERPRETED
DEPOSITION OF: MAHMOUD DAMARA

Taken before Isabelle Klebanow, Registered
Professional Reporter, pursuant to Notice, at the
Hebrew University of Jerusalem, French Hill,
Jerusalem, Israel, on Tuesday, December 6, 2011,
commencing at 9:40 a.m.

1 DIRECT EXAMINATION BY MR. TOLCHIN:

2 Q. Good morning, sir.

3 A. Good morning.

4 Q. Are you feeling all right?

5 A. Thank God, I'm fine.

6 Q. They told us that you had a dental problem. Are
7 you recovered?

8 A. Yes. Until now, there's a lot of pain. There's
9 pain. Yesterday I went through an operation of removing
10 and implanting teeth.

11 Q. Are you --

12 A. I had an operation two days ago on this side
13 (indicating).

14 Q. I'm sorry to hear that. Will that affect your
15 ability to testify today?

16 A. No.

17 Q. Are you taking any drugs or medications that
18 would affect your ability to testify?

19 A. No, no.

20 Q. Okay. Could you state your full name, please,
21 for the record.

22 A. Mahmoud Awad Tawfiq Damara. My ID number is
23 410076806.

24 Q. And do you have a title, sir?

25 A. No. Now I don't. I don't have any job title.

1 Q. Do you have a rank, sir?

2 A. Rank? Yes. The rank is General.

3 Q. General. Do you prefer that I call you Mr. or
4 General? What's your preference?

5 A. No problem.

6 Q. When you say that you had the rank of General,
7 just General of what? In what organization are you a
8 General?

9 A. The Palestinian Authority.

10 Q. Is that your rank today? General?

11 A. Yes.

12 Q. And when you say that you have the rank of
13 General in the Palestinian Authority, is that a
14 particular organization within the Palestinian
15 Authority? The police? The army? Intelligence? Etc.

16 A. I am registered under the Palestinian Authority,
17 but without a job title.

18 Q. When you last had a job title, when was that?

19 A. It was in 2006, before I got arrested.

20 Q. And what organization was it that you had a job
21 title in before you got arrested?

22 A. We don't have organizations. The Palestinian
23 Authority doesn't have organizations. It has security
24 apparatus.

25 Q. Okay. So which security apparatus?

1 A. Those security apparatuses are a result of an
2 agreement with the Israelis in accordance with the Oslo
3 Accords.

4 MR. HILL: The last question was not
5 translated.

6 A. And the Israeli side had accepted them.

7 Q. Okay. I understand that, sir. Let me clarify my
8 question.

9 Which apparatus were you affiliated with before
10 you were arrested?

11 A. I was the head of the Presidential Security.

12 Q. And is Presidential Security also known as
13 Force 17?

14 A. Yes.

15 Q. And when did you become -- withdrawn. When did
16 you get the rank of General?

17 A. January 1, 2010.

18 Q. Was that while you were incarcerated?

19 A. Yes.

20 Q. So you were promoted while you were in jail,
21 correct?

22 A. Yes. The reason is that -- yes. And the reason
23 is that our military ranks are subject to automatic
24 promotion when the time factor matures.

25 For example, if you were in jail or if you were

1 sick or whatever, you still get a promotion as long as
2 you meet the requirements. If the requirements are
3 three years or five years or whatever it is, as long as
4 you meet the requirements, you get the promotion.

5 So that did not require a favor from anyone. As
6 long as I met the requirements, I was entitled to the
7 promotion.

8 And anyone in my place would have received the
9 same treatment. It's not only me.

10 Q. Okay. Was the decision -- withdrawn.

11 Did a person have to make the decision to promote
12 you?

13 A. No, no. It's all subject to standards of the
14 organization and administrative office according to the
15 military rules which works by computers.

16 It's all computerized lists. As long as you meet
17 the standards, you get promoted.

18 Q. Was there an order issued promoting you?

19 A. If a decision was issued?

20 Q. If an order was issued.

21 A. No. It's about regulations. No, it's not an
22 order. It's not an order. It's a list of names,
23 including mine, that was approved by the President and
24 signed by the President upon meeting the requirements.

25 There was no order specifically made for me.

1 Q. So it was signed by the President Abbas?

2 A. Certainly. The list was signed. My name was
3 among other names.

4 Q. Okay. By the way, sir, do you understand
5 English?

6 A. No, no.

7 Q. Okay. And do you understand Hebrew?

8 A. No. No Hebrew either. I don't.

9 Q. Not at all?

10 A. (Hebrew).

11 THE INTERPRETER: Okay. The witness
12 uttered some Hebrew words that the interpreter
13 could not decipher. The interpreter is not a
14 Hebrew-speaker.

15 Q. Sir, when you say that the promotion is
16 automatic, I just want to clarify.

17 If you were not in jail, you would have to go to
18 work in order to get promoted, correct?

19 A. Well, there were other people who got promoted
20 while not going to work, while not exercising their job
21 duties.

22 Q. Other people got promoted even though they were
23 not exercising their job duties?

24 A. Yes. Exactly so. Like I said, I don't want to
25 keep repeating this thing the whole day.

1 break, Mr. Tolchin?

2 MR. TOLCHIN: Just a moment.

3 Q. Sir, you were arrested by Israel, correct?

4 A. Yes.

5 Q. And did you have a trial in Israel?

6 A. Yes.

7 Q. And did you have a lawyer at that trial?

8 A. Yes.

9 Q. And who was your lawyer at the trial?

10 A. Feldman.

11 Q. Is that Avigdor Feldman?

12 A. Yes. Avigdor Feldman.

13 Q. Is he a good lawyer?

14 A. Well, he's okay. He's well.

15 Q. Were you satisfied with the representation you
16 received from him?

17 A. Yes. I am satisfied because he was not satisfied
18 with the Court ruling, and he was willing to file an
19 appeal against the Court ruling because there was no
20 evidence against me.

21 Q. So he fought for your rights?

22 A. Yes. He wanted to appeal because he did not
23 support the ruling that was made by the Court. That
24 ruling, I could have been found not guilty.

25 Q. And -- okay. Were you able to communicate with

1 MR. HILL: It's the third time it's
2 been asked. Objection. Attorney-client
3 privilege. The witness is instructed not to
4 answer.

5 MR. TOLCHIN: Okay. I'll move on.

6 Q. Okay. By the way, sir, just getting back to
7 Mr. Feldman, who paid for Mr. Feldman to represent you?

8 A. The Authority.

9 Q. Do you know how much Mr. Feldman was paid?

10 A. About 50,000, about \$50,000.

11 Q. \$50,000?

12 A. Yes. Yes.

13 Q. Okay. Do you know why the Palestinian Authority
14 paid for Mr. Feldman's fees?

15 A. Because I am an employee of the Authority. If
16 you have a company, the company pays the legal fees for
17 any employee.

18 Q. Does the Palestinian Authority pay for the legal
19 fees for every employee of the Palestinian Authority who
20 is arrested?

21 MR. HILL: Objection. Lack of
22 foundation.

23 Q. You can answer.

24 A. Yes.

25 THE INTERPRETER: Brian, if you could